

Service Date: November 29, 1995

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER Of THE COMPLAINT OF	)	
Customers of Clark Fork Telecommunications	)	
in the Superior, Montana Exchange,	)	UTILITY DIVISION
	)	
Complainant,	)	
	)	
-vs-	)	
	)	DOCKET NO. 94.8.32
Clark Fork Telecommunications,	)	
	)	ORDER NO. 5880
Defendant.	)	

**FINAL ORDER**

1. Customers of Clark Fork Telecommunications, Inc. (CFT) filed a Petition with the Montana Public Service Commission (PSC or Commission) in August of 1994 alleging inadequate telephone service in CFT ' s Superior, Montana exchange. The Montana Consumer Counsel (MCC) filed a petition to intervene in the proceeding on September 23, 1994. CFT filed its Answer on September 26, 1994, generally acknowledging that the service problems identified in the complaint existed, that it had taken steps to add extra capacity in the Superior central office and to check the facilities for defects and perform routine maintenance. The Answer also stated that the central office switching equipment would be replaced with a digital switch by the end of the first quarter of 1995.
2. In response to the complaint, a hearing was conducted in Superior on October 6, 1994 to address the problems and inform the public about upgrades to be implemented in the Superior exchange. Subsequent to the hearing, on December 12, 1994, CFT filed a Supplemental Response and Answer responding to specific problems raised at the Superior hearing.
3. On October 16, 1994 CFT and the MCC entered into a Stipulation. On November 29, 1994, David Bohrer, Complainant and Chairman of the Committee on Superior Area Telephone Service, also agreed to the Stipulation. In the Stipulation, CFT and the MCC agreed that the service problems experienced by the Superior area customers would be eliminated by the installation of a digital switch for the Superior exchange and installation of fiber optic cable from Missoula to Superior, an upgrade CFT was committed to completing by the end of the first quarter of 1995. They further agreed that it was appropriate for the PSC to leave this docket open in order to monitor the

progress of the planned upgrades in the Superior exchange through reasonable reporting requirements to be determined by the PSC. CFT further committed to providing direction and training to its employees to ensure proper treatment of its customers, and to share information about the progress of the system upgrades with its customers.

4. In addition to conducting a hearing, the Commission requested and received information about CFT's customer billing and service practices and its compliance with the standards set forth in ARM 38.5.3371. The Commission also conducted a general service audit, completed in April, 1995. The audit indicated that CFT had upgraded central office switching in the Superior exchange, thereby reducing the number and type of technical problems experienced by its Superior subscribers. The service audit indicated that the transfer from U S West Communications to CFT had been marked by billing problems, complaints about customer service on the part of CFT's employees, and delays in service connections and repair servicing. The audit described actions that CFT was taking to improve service, however. In April, 1995, the Commission agreed to continue monitoring CFT's progress in reaching objectives designed to improve service quality.

5. From an engineering perspective, service quality is much improved since CFT's upgrade to the new digital switch. The Commission has actively monitored CFT's progress with billing problems and customer service and CFT has substantially improved service in these areas as well.

6. By June, 1995 it appeared that CFT has largely satisfied the issues raised in the formal complaint opened in 1994. The Hearings Examiner issued a Notice of Proposed Commission Action on June 13, 1995, stating that the examiner would recommend to the Commission that this docket be closed unless objections were received indicating that further action should be taken by the PSC.

7. The time for making objections has passed with no objections received to closure of this Docket. Further, the allegations of the complaint have been satisfied and it is now appropriate to close the complaint against CFT.

### **CONCLUSIONS OF LAW**

1. Clark Fork Telecommunications is a public utility offering regulated telecommunications services in the State of Montana. Section 69-3-101, MCA. The Commission has authority to supervise, regulate and control public utilities. Section 69-3-102, MCA.

2. The Commission properly exercises jurisdiction over CFT's Montana operations pursuant to Title 69, Chapter 3, MCA.

3. The Commission has provided adequate public notice of all proceedings herein and an opportunity to be heard, to all interested parties in this Docket. Montana Administrative Procedure Act, Title 2, chapter 4, MCA.

**ORDER**

NOW, THEREFORE, based upon the foregoing, it is ORDERED that this Docket is closed, the complaint having been satisfied.

Done and Dated this 21st day of November, 1995 by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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NANCY MCCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.